

**From:** Thomas Strong  
**To:** Microsoft ATR  
**Date:** 1/25/02 8:51am  
**Subject:** Microsoft settlement

January 25, 2002  
Re: the proposed settlement consent decree

Dear Sir or Madam:

The recent ruling of the Court of Appeals in the Microsoft case upholds the findings of the District Court on just one of the four original violations of anti-trust law raised by the government. This narrowing of the ruling does not even include the "tying" claim which was the central argument of the government's case. It makes sense, given the Court of Appeals ruling, for Microsoft, the DoJ and the states to reach agreement in this case and move forward. The AG's of those states holding out for tougher remedies have not accepted this narrowing of the legal findings. They are in denial re: Judge Jackson's dismissal from the case, and their expectations are therefore unrealistic.

Meanwhile, AOL has filed suit in an obvious attempt to disrupt the resolution of the case? Why is Microsoft's inclusion of the IE browser on the Windows desktop any different that AOL's prominent display of, and reference to, its internet Messenger Service during CNN's news and call-in shows? If AOL alleges that the success of Microsoft's Internet Explorer (IE) is due to illegal monopoly maintenance, why does AOL continue to use IE rather than Netscape Navigator with its own internet service? AOL's contract to use IE has terminated, and it is certainly free to use its own product. Absent any other information, I can only infer IE is a better product.

I am hopeful the District Court will accept the settlement between Microsoft, the DoJ and several of the states in this case. Please do not spend any more government resources pursuing this case as it no longer serves the interests of the nation's consumers, but instead serves AOL, Oracle, Sun Microsystems and other Microsoft competitors, as well as the political goals of certain state attorneys general.

Sincerely,

Thomas Strong  
Sammamish, WA